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NEW JERSEY  
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June 30, 2008

**VIA FEDEX**

The Honorable Charles L. Briant  
United States District Court  
Southern District of New York  
300 Quarropas Street  
Room 275  
White Plains, New York 10601

Re: Geis Properties, LLC v. Shell Oil Company  
Civil Action No. 08 Civ. 3911

Dear Judge Briant:

This firm represents plaintiff Geis Properties, LLC ("Geis") in connection with the above-referenced action pending before Your Honor. We write to seek the Court's assistance with an issue relating to discovery in this matter.

As the Court is aware, Geis alleges in its complaint in this action that Shell Oil Company ("Shell") is responsible for the contamination of a certain parcel of real property (the "Property") in Westchester County, New York. Prior to the commencement of this action, Geis was involved in a real estate transaction involving the Property with an unrelated third-party. Geis believes that certain documents in its possession relating to this transaction should be disclosed as part of Geis' initial disclosures pursuant to Fed.R.Civ.P. 26 as well as in response to the discovery demands served by Shell. However, these materials are ostensibly protected from disclosure by confidentiality provisions in the applicable transaction documents. Geis has attempted to obtain the consent of the third-party to the limited disclosure of these documents in the context of this litigation only, but has been unable to obtain such consent as of this writing. We seek the Court's assistance in resolving this issue so that discovery may proceed without delay.

We have informed Shell's counsel, Ms. Woolson, of the existence of these responsive materials as well as the instant application. Shell has expressed a willingness to enter into a consent order regarding both the confidentiality and the discoverability of these materials, subject to review and negotiation of the terms of the same. Based on my

COLE, SCHOTZ, MEISEL, FORMAN & LEONARD, P.A.  
ATTORNEYS AT LAW

Judge Charles L. Brieant  
June 30, 2008  
Page 2

conversations with Court personnel regarding the procedure for obtaining the Court's approval of such a consent order, Geis requests that this issue be referred to a Magistrate Judge for consideration and to determine the manner in which to proceed.

Please do not hesitate to contact undersigned if any additional information is needed in support of this application. Thank You for Your Consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "N. Shanahan", with a stylized flourish at the end.

Nolan E. Shanahan

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cc: Sheila Woolson, Esq. (via e-mail)  
Glenn R. Kazlow, Esq.  
Gordon C. Duus, Esq.  
Gerard M. Giordano, Esq.